

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

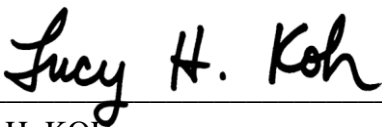
NATHALIE THUY VAN,
Plaintiff,
v.
LANGUAGE LINE, LLC,
Defendant.

Case No. 14-CV-03791-LHK

PROPOSED VERDICT FORM

IT IS SO ORDERED.

Dated: July 27, 2016



LUCY H. KOH
United States District Judge

We, the Jury, unanimously answer the questions submitted to us as follows:

I. OVERTIME CLAIMS

Question No. 1

Was Ms. Van either not paid, or paid at a rate lower than the legal overtime compensation rate, for any overtime hours in excess of 8 hours per day or 40 hours per week that Ms. Van worked for Language Line, LLC?

_____ Yes _____ No

If your answer is "Yes," continue to Question No. 2. If your answer is "No," answer no further "Overtime Claims" questions and go to Question No. 7.

Question No. 2

Did Language Line, LLC know, or should Language Line, LLC have known, that Ms. Van worked these overtime hours?

_____ Yes _____ No

If your answer is "Yes," continue to Question No. 3. If your answer is "No," answer no further "Overtime Claims" questions and go to Question No. 7.

Question No. 3

Was Language Line LLC's violation of the Fair Labor Standards Act willful?

_____ Yes _____ No

Continue to Question No. 4.

Question No. 4

How many overtime hours in excess of 40 hours per week did Ms. Van work for Language Line, LLC for which she was either not paid, or paid at a rate lower than the legal overtime compensation rate?

_____ hour(s) from August 21, 2010 to August 20, 2011

_____ hour(s) from August 21, 2011 to August 20, 2012

_____ hour(s) from August 21, 2012 to August 21, 2014

Continue to Question No. 5.

Question No. 5

How many overtime hours in excess of eight hours per day did Ms. Van work for Language Line, LLC for which she was either not paid, or paid at a rate lower than the legal overtime compensation rate?

_____ hour(s) from August 21, 2010 to August 21, 2014

Continue to Question No. 6.

Question No. 6

What is the amount of overtime wages Language Line, LLC owes Ms. Van?

\$_____.

Continue to Question No. 7.

II. MEAL & REST PERIOD CLAIM

Question No. 7

The Court has determined that Language Line, LLC did not provide meal and/or rest periods to Ms. Van as follows: one day with no meal period, one day with no meal period and missing one rest break, two days missing two rest breaks, and 129 days missing one rest break.

What is the amount of damages Language Line, LLC owes Ms. Van for these failures to provide meal and/or rest periods?

\$_____.

Continue to Question No. 8.

Question No. 8

Excluding the days already found by the Court as stated in Question No. 7, did Language Line, LLC require Ms. Van to work five or more hours in any workday without providing her at least one 30 minute meal period?

_____ Yes _____ No

Continue to Question No. 9.

Question No. 9

Excluding the days already found by the Court as stated in Question No. 7, did Language Line, LLC fail to permit and authorize Ms. Van to take one 10 minute rest break for shifts from 3.5 to 6 hours in length and two 10 minute rest breaks for shifts from 6 to 10 hours in length?

_____ Yes _____ No

If you answered "No" to Question No. 8 and Question No. 9, then skip Question No. 10 and go to Question No. 11. If you answered "Yes" to either or both Question No. 8 and Question No. 9, then continue to Question No. 10.

Question No. 10

Excluding the days already found by the Court as stated in Question No. 7 and excluding any damages you awarded in your answer to Question No. 7, what is the amount of damages Language Line, LLC owes for not providing meal periods and/or rest breaks to Ms. Van?

\$_____.

Continue to Question No. 11.

III. WAGE STATEMENTS CLAIM

Question No. 11

Did Language Line, LLC knowingly and intentionally fail to provide Ms. Van accurate itemized wage statements?

_____ Yes _____ No

If your answer is "Yes," continue to Question No. 12. If your answer is "No," do not answer any further questions and have the presiding juror sign and date this verdict form.

Question No. 12

In how many pay periods did Language Line, LLC knowingly and intentionally fail to provide Ms. Van with accurate itemized wage statements?

_____ Pay period(s)

Continue to Question No. 13.

Question No. 13

What is the amount of damages Language Line, LLC owes to Ms. Van for failing to provide accurate itemized wage statements?

\$_____.

Have the presiding juror sign and date this verdict form.

Signed: _____

Presiding Juror

Dated: _____

After the verdict form has been signed, notify the Bailiff that you have reached a verdict.

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